

**BALBER PICKARD MALDONADO & VAN DER TUIN, PC**

Roger Juan Maldonado (RM-7035)  
Sarah Yousuf (SY-0305)  
1370 Avenue of the Americas  
New York, New York 10019  
Telephone: (212) 246-2400  
Facsimile: (212) 765-4212

Ashima Aggarwal (AA-1444)  
John Wiley & Sons, Inc.  
111 River Street  
Hoboken, NJ 07030-5774  
Telephone: (201) 748-6000  
Facsimile: (201) 748-6500

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----  
DIRECT MARKETING EDUCATION  
FOUNDATION, INC.

Plaintiff,

Case No. 07 CV 1464 (LMM)

-against-

JOHN WILEY & SONS, INC.

Defendant.  
-----

**DECLARATION OF IAIN CRAIG IN OPPOSITION TO PLAINTIFF'S  
MOTION FOR A PRELIMINARY INJUNCTION**

1. I am the Bibliometrics Analyst at John Wiley & Sons, Inc. ("Wiley"). I am part of a company wide research and analysis team and am involved with all aspects of citation analysis, also known as bibliometrics, at a title, subject and company level for Wiley. I submit this declaration in opposition to plaintiff's motion for a preliminary injunction.

2. Over the course of my employment at Wiley and previously, I have given a number of presentations to external groups regarding the impact factor such as

Wiley-Blackwell, Wiley's scientific, technical, medical and scholarly business, organised seminars with invited editors and society officers; the Council of Engineering and Scientific Society Executives (CESSE) where I spoke with Thomson Scientific about impact factors and citations; the British Dental Editors forum where I spoke to assembled UK based editors from a variety of publishers. I have also received a number of invitations to speak at industry events such as the Association of Learned and Professional Society Publishers (ALPSP) and the United Kingdom Serials Group (UKSG), and will be speaking to Singapore's Agency for Science, Technology and Research agency in March 2008, on "The Bibliometrics of Research from Singapore". I co-wrote with Institute for Scientific Information (ISI, which is now part of Thomson Scientific) and Elsevier personnel, a scholarly article which was accepted into a peer-reviewed journal, on the topic of the relationship between Open Access and Citations. See <http://www.publishingresearch.org.uk/Citations.htm>. I have also recently been invited to create an Experts 'Topic Page' around this article. See [http://topics.scirus.com/Does\\_Open\\_Access\\_Increase\\_Citations%3F.html](http://topics.scirus.com/Does_Open_Access_Increase_Citations%3F.html). I am currently co-writing a chapter for a book titled *The Future of the Academic Journal* to be published by Chandos Publishing.

3. The impact factor is the most commonly used citation metric today. It is a measure of the average citations per article in a defined time period.

4. Specifically, the impact factor for the *Journal of Interactive Marketing* released in the 2006 Journal Citation Reports (JCR) by Thomson Scientific was calculated by dividing (i) the number of citations in 2006, from all journals indexed by Thomson Scientific, to any item published in the *Journal of Interactive Marketing*

during 2004 and 2005 by (ii) the number of source-items published in the *Journal of Interactive Marketing* during 2004 and 2005. Source-items are original articles and review articles. Book reviews, editorials, obituaries or correspondence with the editor are not included in the count of source-items as these items are journalistic, rather than purely scientific. The formula provided by Professor Deighton in his affidavit in support of plaintiff's motion is inaccurate in that he identifies the denominator of the impact factor as "the number of **articles** published in the journal in the prior two years" (emphasis added).

5. The denominator of the impact factor for a journal is determined by the staff at Thomson Scientific in accordance with certain general principles. However, Thomson Scientific can and does make exceptions to those principles when deciding whether an item is a source or non-source item.


6. Because reprints of articles will theoretically never generate a single citation, as all citations should be made to the original article, Thomson Scientific generally excludes these items from the denominator of the impact factor calculation.

7. The net effect on the impact factor of the 'Best Of' issue should be that there are 0 additional citations on the numerator, but 0 additional source-items on the denominator, so there is no net difference. Professor Deighton's statement, in paragraph 7 of his Affidavit dated February 12, 2008, correctly states that the numerator will be low, but fails to acknowledge that the denominator will also be low. Thus, there should be no net effect on the impact factor by Wiley's publication of a "Best Of" issue.

8. Aside from considering the formula set forth in paragraph 4 above to determine a journal's impact factor, Thomson Scientific also looks for consistent

timing of publication. Ideally, Thomson Scientific wishes to see issues published when the publisher states they will be published, e.g. a January issue in January, an April issue in April. If a publisher is late or out of sync with publication of a journal, and does not remediate the situation, Thomson Scientific views this as evidence of poor copy-flow, and may put the journal under more scrutiny or eject it from their indexes.

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 20, 2008, in Oxford, England

  
\_\_\_\_\_  
Iain Craig